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WEGMAN, HESSLER & VANDERBURG
c/o Bruce Peacock
6055 Rockside Woods Blvd.
Suite 200
Cleveland, OH 44131

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APR 01 2005

TECHNOLOGY CENTER 3600

In re application of

Terry J. Stineman

Application No. 10/685,827

Filed: October 14, 2003

For: VIBRATION DAMPING ASSEMBLY

DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY

This is a decision on the renewed request filed on February 22, 2005, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application. The delay in treating this request is sincerely regretted.

The request is **NOT APPROVED as MOOT**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. Besides giving due notice to his or her client and delivering to the client all papers and property to which the client is entitled as specified under 37 CFR 10.40, approval of such a request requires that the following conditions be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided; and
- C) If withdrawal is requested in accordance with 37 CFR 10.40(c) above, there must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a).

The request to withdraw as attorney in the above-identified application is not approved as moot because the power of attorney has already been changed as per the Notice regarding Change of Power of Attorney mailed March 09, 2005.



Kenneth J. Dorner
Special Programs Examiner
Patent Technology Center 3600
(703) 308-0866
Facsimile No.: (703) 605-0586

KJD/slb: 03/11/05

cc: Timothy D. Bennett
Brouse McDowell, LPA
500 First National Tower
106 S. Main Street
Akron, OH 44308-1471